

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Maria De Jesus Harber,)	
)	ORDER
Plaintiff,)	
)	
vs.)	
)	
Social Security Administration,)	
)	Case No. 1:18-cv-201
Defendant.)	
)	

Before the Court is Defendant’s Unopposed Motion to Reverse and Remand. (Doc. No. 26). Defendant requests that the Court remand this case to allow the Commissioner of Social Security to conduct further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g) and Melkonyan v. Sullivan, 501 U.S. 89 (1991). Defendant advises that Plaintiff agrees to such a remand if Defendant will guarantee a new hearing in front of a different ALJ, which Defendant agrees to do.

Accordingly, the motion is unopposed. As such, the Court **GRANTS** Defendant’s Motion to Reverse and Remand (Doc. No. 26). The Court **FINDS MOOT** Plaintiff’s Motion for Summary Judgment (Doc. No. 19) and Defendant’s Motion for Summary Judgment (Doc. No. 20). Pursuant to sentence four of 42 U.S.C. § 405(g), the judgment of the Commissioner is **REVERSED** and the case is **REMANDED** for proceedings consistent with this opinion.

IT IS SO ORDERED.

Dated this 25th day of May, 2021.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court